Cancel Claims 8 and 9.

Rewrite Claim 10 as follows:

10. **(Once Amended)** The method as in Claim 1 further comprising:
    sending a file delivery notification if the file is successfully sent to the receiver.

Rewrite Claim 13 as follows:

13. **(Once Amended)** The method as in Claim 1 further comprising:
    if the file is not delivered to the backup receiving location, sending a failure notification to the receiver.

Rewrite Claim 16 as follows:

16. **(Once Amended)** The method as in Claim 1 further comprising:
    if attempting to send the file to the backup receiving location up to the preset number of times fails
    (a) sending the file to a next backup receiving location;
    (b) determining whether the file has been successfully transferred to the next backup receiving location; and
    (c) if the file has not been successfully transferred to the next backup receiving location, attempting to send the file to the next backup receiving location up to a preset number of times.

Marked-up amended Claims 1, 10, 13 and 16 are attached hereto as Appendix A

REMARKS

In the Office Action dated June 25, 2004, the Examiner has indicated that Claims 1 - 24 are pending in the application. Claim 24 is allowed. Claims 1 through 8 and 10 through 23 are rejected. Claim 9, which is dependent upon Claim 8, which, in turn, is dependent upon Claim 1, is objected to as being dependent upon a non-allowable claim.

Also, the Examiner points out that copies of relevant prior art patents listed in the Information Disclosure Statement (IDS) were not included when the IDS was submitted.

Accordingly, independent Claim 1 has been amended to incorporate the limitations of Claims 8 and 9. Also, Claims 8 and 9 have been cancelled. Further, Claims 10, 13 and 16 are amended to be dependent upon newly amended Claim 1, since Claim 8, upon which these claims were originally dependent, has been cancelled and its limitations included in newly amended Claim 1. See attached Appendix A. Since newly amended Claim 1 now incorporates the limitations of Claims 8 and otherwise allowable Claim 9, it is now allowable. Also, all claims dependent upon newly amended Claim 1, namely Claims 2 through 7 and 10 through 23, are also allowable.

Moreover, copies of prior art cited in the IDS are attached hereto. Applicant inadvertently left these copies out of the IDS when submitting it to the Examiner. Applicant requests that the Examiner enter these copies of prior art references into the record under 37 CFR 1.97(f).

Applicant, having answered any and all objections and rejections made by the Examiner, now submits that this Application is in condition for allowance. If the Examiner disagrees, he is invited to contact Applicant directly at (301) 286-7351.

No additional fee is required since no new claims were added.

Respectfully submitted,
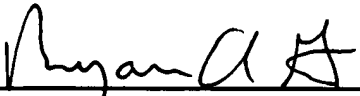
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APPENDIX A

Amended claims in marked-up form are as follows:

1. **(Once Amended)** A method in a computer system for transferring a file to another computer comprising:

sending a file to a receiver;

determining whether the file has been successfully transferred to the receiver; [and]

if the file has not been successfully transferred to the receiver, attempting to send the file to the receiver up to a preset number of times[.];

sending the file to a backup receiving location if attempting to send the file to the receiver up to the preset number of times fails;

determining whether the file has been successfully transferred to the backup receiving location; and

if the file has not been successfully transferred to the backup receiving location, attempting to send the file to the backup receiving location up to a preset number of times;

wherein the identification of said backup receiving location is predetermined by the receiver.

10. **(Once Amended)** The method as in Claim [8]1 further comprising:

sending a file delivery notification if the file is successfully sent to the receiver.

13. **(Once Amended)** The method as in Claim [8]1 further comprising:

if the file is not delivered to the backup receiving location, sending a failure notification to the receiver.

16. **(Once Amended)** The method as in Claim [8]1 further comprising:

if attempting to send the file to the backup receiving location up to the preset number of times fails

(a) sending the file to a next backup receiving location;

(b) determining whether the file has been successfully transferred to the next backup receiving location; and

(c) if the file has not been successfully transferred to the next backup receiving location, attempting to send the file to the next backup receiving location up to a preset number of times.